IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN

&

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 11TH JULY 2007 / 20TH ASHADHA 1929

WA.No. 1594 of 2007(E)

AGAINST THE JUDGEMENT IN WPC.14479/2005 Dated 13/03/2007

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APPELLANTS: PETITIONERS NO.1 & 5:

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1. T.P. ASOKAN, AGED 54 YEARS,
   S/O. LATE SRI.PRABHAKARAN, DEMONSTRATOR
   (MECHANICAL ENGINEERING), GOVERNMENT POLYTECHNIC
   COLLEGE, KALAMASSERY.

2. K.A. BABU, AGED 52 YEARS,
   S/O. LATE SRI.K.V.ANTONY, DEMONSTRATOR(ELECTRICAL)
   SREE RAMA GOVERNMENT POLYTECHNIC, THRIPRAYAR.
   (PRESENTLY WORKING AS WORKSHOP INSTRUCTOR IN
   TECHNICAL HIGH SCHOOL, SHORNOOR).

BY ADV. SRI.M.R.GOPALAKRISHNAN NAIR
SRI.B.SOMADASAN
SRI.K.KRISHNANKUTTY NAYAR

RESPONDENTS: RESPONDENTS:

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1. THE STATE OF KERALA,
   REPRESENTED BY ITS PRINCIPAL SECRETARY TO
   GOVERNMENT SECRETARIAT, HIGHER EDUCATION (L)
   DEPARTMENT, THIRUVANANTHAPURAM.

2. THE DIRECTOR OF TECHNICAL EDUCATION,
   THIRUVANANTHAPURAM.

Addl.3. N.K. JOLLY, WORKSHOP INSTRUCTOR (MEAHCNICAL
ENGINEERING, GOVERNMENT POLYTECHNIC COLLEGE,
KALAMASSERY.

Addl.4. K.V.THANKAPPAN, WORKSHOP INSTRUCTOR (MECHANICAL),
GOVERNMENT POLYTECHNIC COLLEGE,PERUMBAVOOR.

Addl.5. N.A. MOHANAN DEMONSTRATOR (ELECTRICAL ENGINEERING) GOVERNMENT POLYTECHNIC COLLEGE, KALAMASSERY.

are impleaded as additional respondents 3 to 5 vide order dt.2.7.07 in IA 515/07

BY
GOVERNMENT PLEADER SANDESH RAJA.

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 11/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.Radhakrishnan
&
Antony Dominic, JJ.
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W.A.No.1594 of 2007
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Dated this the 11th day of July, 2007.

JUDGMENT

Radhakrishnan,J.

Heard learned counsel for the appellants and learned Government Pleader.

2. W.P.(C) No.14479 of 2005 was preferred by the appellants seeking a writ of certiorari to quash Ext.P7 series and for a direction to the respondents to grant the scale of pay of Assistant Lecturer to the petitioners with effect from the date on which they have acquired the qualification for the said post even though the said post was abolished with effect from the the year 2000 and also for a declaration that the petitioners are entitled for the grade in the scale of pay of Rs.6,675 – 10,550 as Assistant Lecturer since all of them were qualified for promotion before abolition of the said post and for other reliefs. Ext.P7 series are the communications issued by the Director, Technical Education to the Principal of the Colleges concerned. Noticing the mistake, petitioners preferred Ext.P9 series of

representations before the Government for the implementation of the Government order. But the Government have not taken any action on the above said representations. Hence we direct the Government to pass orders on the representations within three months from the date of receipt of a copy of this judgment. Learned counsel for the petitioners submitted that they are proposing to file a comprehensive representation raising all the contentions along with documents. They may do so. Those representations should also be considered by the Government and pass orders.

Writ Appeal is disposed of as above.

K.S.Radhakrishnan,
Judge.

Antony Dominic,
Judge.

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